

Be it remembered that on the 26 day of Oct. A.D. 1921, there was begun and holden a Special session of the Commissioners Court in and for Upshur County, Texas, the following members being present: C W Jones, Commissioner Prec. # 1; Jerry Dean, Commissioner Prec #2 G W McIntosh, Commissioner Prec. # 3; A W Tucker, Commissioner Prec. #4; J W Bryce, Sheriff H V Davis, County Attorney; and T A Cook, County Clerk, when the following proceedings were had to-wit:

It is ordered by the Commissioners Court in Call session this the 26th day of Oct, 1921 that \$3000.00 be transferred from Big Sandy Bond fund to County Bond Fund.

J R Melvin.
Jerry Dean.
A W Tucker.
C W Jones.
G W McIntosh.

Gilmer, Texas, 10/26/21, Special meeting. Motion by Commissioner McIntosh to pay Final Estimate on Road work done by C W Burgess contractor on Big Sandy roads, and accepting all work as per contract between Upshur County & C W Burgess, and releasing the bond furnished by The National Surety Company for performance of said contract. Seconded by Commissioner Jerry Dean, motion put by Judge Melvin, voted Aye: McIntosh, Jones, Tucker Dean, J R Melvin, G W McIntosh.

The State of Texas /
County of Upshur /

On this the 26th day of October, A.D. 1921, the Commissioners Court of Upshur County was convened in special session, the County Judge, and all of the County Commissioners and the County Clerk being present, when among other proceedings had, the following order was passed:

Whereas, on the 20th day of August, A.D. 1920, the Commissioners Court of Upshur County Texas, entered into contract with C W Bryce, Contractor, after due advertisement as required by law, for the construction of 25.877 miles of State Highway No. 11, in Upshur County, in accordance with the plans and specifications attached to said contract and adopted and approved by the Commissioners Court of Upshur County, said Highway construction to be done and performed in accordance with unit prices in said contract named; and

Whereas, on the 4th day of April, 1921, the said C W Bryce, contractor aforesaid, with the consent to the Commissioners Court of Upshur County, and with the consent of the State Highway Department, assigned and transferred his said contract to C W Burgess, who has heretofore executed a construction bond in accordance with law; and whereas, supplementary to said contract and supplementary to orders heretofore made by this court affecting the payment of the contractor for materials furnished and work performed thereon, this court enacted two orders, the first of date, September 15th, 1921, levying taxes for the purpose of paying principal and interest of a series of \$15,000.00 of Upshur County, State Highway Warrants, and the second order passed on the 15th day of October, 1921, directing the issuance of said warrants in the amount of \$15,000.00, to be issued and delivered to the said C W Burgess evidencing the indebtedness of Upshur County to the said C W Burgess, said warrants to be delivered when the said highway construction is completed, or upon estimates presented to be approved by this court after inspection and acceptance by it of said materials and work; and,

whereas, materials and work covered by said contract have been furnished and performed by the said C W Burgess, contractor, as reflected by estimate of the County Engineer herein-

after shown, which estimate of the Engineer and claim of the contractor is in words and figures as follows, to-wit:

Monthly estimate No. 14. To C W Burgess, Contractor. For period from Sept 30, 1921 to Oct 15/21, inclusive. Road District No. 1, Highway No. 11, Upshur County, Texas.

Item.	Unit	Total Work done this Estimate	Total work done on Contract	Contract Price	Total
Gravel 1/4 Mi. Haul.	Cu. Yds	6031.3	6031.3	\$1.00	\$6031.30
" 2/4 "	" "	276.4	276.4	.14	38.70
" 3/4 "	" "	120.0	120.0	.28	33.60
" 4/4 "	" "	346.0	346.0	.42	145.45
" 6/4 "	" "	632.8	632.8	.70	442.96
" 7/4 "	" "	1918.1	1918.1	.84	1611.20
" 8/4 "	" "	1737.7	1737.7	.98	2029.28
Add 1/4 "	" "	3333.93	3333.93	.14	4667.51

Total Amount work done to date.....\$15,000.00.

I certify that the construction work and labor herein described have been inspected by me and that the same have been performed as claimed above in accordance with the plans and specifications heretofore approved.

By H SWilder, Resident Engineer.

Accepted: J R Melvin Co Judge
C W Jones, Com Prec 1
Jerry Dean Com Prec 2
G W McIntosh, Com Prec 3
A W Tucker, Com Prec 4.

And whereas, said claim and estimate has been duly audited, and all of the work and materials covered by said estimate have been inspected by this court and found to be correct and in accordance with said contract and the plans and specifications adopted by this court and it appearing that said contractor has made all payments due to all persons supplying him with labor and materials in the prosecution of the work provided for in said contract;

It is therefore ordered, adjudged and decreed by this court that said estimate and claim be and the same is hereby approved and allowed; that in accordance with said contract and order of this court, there shall be executed and delivered to the said C W Burgess, Upshur County, State Highway warrants, evidencing the indebtedness due by said Upshur County to said Contractor, being warrants numbers one(1) to thirty(30) inclusive, in the denomination of \$500.00 each, aggregating \$15,000.00 dated October 1st, 1921, and bearing interest at the rate of eight per cent(8%) per annum, authorized to be issued in payment of the unit prices named in the contract and specifications therein mentioned for the construction of State Highway No. 11; that Upshur County has received full value and consideration for the amount of said warrants herein authorized to be delivered.

J R Melvin, County Judge.
C W Jones, Commissioner Precinct No. 1
Jerry Dean, Commissioner Precinct No. 2
G W McIntosh, Commissioner Precinct No. 3
A W Tucker, Commissioner Precinct No. 4.